

In Re: Patent Application in USA
for "Dichroic Polarizer"
Serial No. 09/485,329
in the name of P. Lazarev et al.

DECLARATION

- 1) I, Vladimir Biriulin, patent attorney for Gorodissky & Partners, Ltd. of Bolshaya Spasskaya Str., 25 stroenie 3, Moscow 129010, Russia, do hereby declare that on February 7, 2000 there was filed a U.S. Patent Application Serial No.09/485,329 (based on PCT/RU98/00251 filed August 3, 1998) for the invention entitled: "Dichroic Polarizer" in the name of Pavel Ivanovich LAZAREV; Alexandr Alexandrovich MIROSHIN; Nikolai Vladimirovich MALIMONENKO; Sergei Vasilievich BELYAEV..
- 2) We prepared and forwarded Declaration of the inventors signed by Pavel Ivanovich LAZAREV while the signatures of Alexandr Alexandrovich MIROSHIN, Nikolai Vladimirovich MALIMONENKO and Sergei Vasilievich BELYAEV were missing (**Exhibit 1**).
- 3) The signatures of Messrs. MIROSHIN, MALIMONENKO and BELYAEV were missing for the following reasons: The Applicant, Optiva, Inc., advised us that though Messrs. MIROSHIN and BELYAEV have each received a form of Declaration they did not sign it (copies of Optiva's letters to with confirmation of safe receipt of the documents by Messrs. MIROSHIN and BELYAEV are enclosed herewith as (**Exhibit 2**). They were not able to reach Mr. MALIMONENKO as he was on his business trip abroad. We enclose the note from the courier (along with its English translation) confirming Applicant's attempt to deliver the paper. Mr. MALIMONENKO,s relatives refused to sign for the delivery (**Exhibit 3**). The Applicant will continue their efforts to reach Mr. MALIMONENKO later on, when he is back to town .
- 4) Attached to this Declaration is an Assignment Deed together with its English translation (**Exhibit 4**) which states that on August 11, 1997 all the inventors, namely Pavel Ivanovich LAZAREV, Alexandr Alexandrovich MIROSHIN, Nikolai Vladimirovich MALIMONENKO, Sergei Vasilievich BELYAEV had assigned all their rights for the invention in question to the ZAO "Quanta Invest", P.O.Box 24, 113455, Moscow, Russia, the assignee of the priority patent in Russia.
- 5) Furthermore, on May 12, 2000 "Quanta Invest" transferred to OPTIVA, INC., of 377 Oyster Point Blvd.13, South San Francisco, California, 94080-1962, USA the entire right, title and interest in the USA and throughout the world in the above mentioned application. **Exhibit 5** is attached this Declaration to support this statement.

It is requested hereby that the above patent application and the accompanying documents be accepted without the original signatures of Alexandre Alexandrovich MIROSHIN, Nikolai Vladimirovich MALIMONENKO, Sergei Vasilievich BELYAEV on the Declaration and Power of Attorney.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 16-th day of June, of the year two thousand



Vladimir I. Biriulin